

GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

Public Services – Sri B.Venkateswara Rao, Prohibition & Excise Inspector – Request for inclusion of his name in the panel of Prohibition & Excise Sub-Inspectors for the year 1984-85 and to assign notional seniority on par with his juniors - Accepted – Orders – Issued.

REVENUE (EXCISE.I) DEPARTMENT

G.O.Rt.No. 1683

Dated:26.08.2008

Read the following:

1. Representation of Sri B.Venkateswara Rao, Prohibition & Excise Inspector, dated:5.9.2001.
2. From the CPE, Cr.No.11578/2005/CPE/L2, dated 9.8.2006
3. From the CPE, Cr.No.3416/2006/CPE/L3, dated 16.11.2006 & 12.01.2007
4. G.O.Rt.No.2589, Rev (Ex.I) Department, Dated:06.12.2007
5. Orders of the APAT dated:13.6.2008, in O.A.No.2046/2008
6. Govt. Memo No.15756/Ex.I (2)/2008-1, Dated:5-7-2008
7. From the CPE, Cr.No.3558/2008/CPE/L3, dated:16.08.2008

ORDER:

Sri B.Venkateswara Rao, Prohibition & Excise Inspector has represented that his probation in the cadre of Prohibition & Excise Sub-Inspector was first declared w.e.f.25.4.1985 and subsequently on a representation made by him Government have issued orders in G.O.Rt.No.1766, Revenue (Ex.I) Department, dt:11.11.94 extending his probation w.e.f. 31.1.1985 as per the A.P. Departmental Test Rule in relaxation of the General Rule 26 and 27 of the A.P. State & Subordinate Service Rules. But, under Rule 4 (a) i (ii) of the General Rules, list of approved candidates prepared in the month of September of every year shall be reviewed in the month of March in the succeeding year for purpose of considering the cases of such persons whose names were not included in the list prepared in the month of September for not passing the tests prescribed under rules and hence he is eligible for inclusion in the panel of Prohibition & Excise Sub-Inspectors for the panel year 1984-85 and requested for inclusion of his name in the said panel below Sri S.S.R. Reddy and above Sri S.Masenu.

2. In the reference 3rd read above, the Commissioner of Prohibition & Excise has stated that the probation of the individual has been extended up to 31.1.1985 but the date of regularization has been accorded from the date of joining i.e. 28.11.1977 since he joined prior to 9.3.1981 as per Rule 24(C) of old rule of A.P. State & Subordinate Service Rules. His juniors were promoted on 20.3.1985, but his case was not considered for want of declaration of probation. His probation was declared w.e.f.31.1.1985, from which date, he is qualified for promotion i.e. in the panel year 1984-85 in which year his juniors were considered for promotion.

3. In the reference 4th read above, Government issued orders for inclusion of the name of Sri B.Venkateswara Rao, Prohibition & Excise Inspector in the panel of Prohibition & Excise Sub-Inspectors for the year 1984-85 by reviewing his case in terms of Rule 4 (a) (ii) of the A.P. State & Subordinate Service Rules, 1962 and to assign notional seniority on par with his juniors with all consequential benefits duly following the prescribed procedure in vogue. Accordingly, the Deputy Commissioner of Prohibition & Excise, Kakinada has issued notices to the affected persons in Rc.No.A1/1830/2001 dated:27.12.2007.

(P.T.O.)

4. Aggrieved by the orders issued in reference 4th read above and consequent proceedings of the Deputy Commissioner of Prohibition & Excise, Kakinada, Sri R.Chiranjeevi Rao, Proh.& Excise Inspector, M/s. Gouthami Agro, Vangoor, West Godavari district has filed O.A.No.2046/2008 in the APAT praying to set aside G.O.Rt.No.2589, Rev(Ex.I)department, dated:6.12.2007 and the consequential proceedings issued in Rc.No.A1/1830/2001 dated:27.12.2007 by the Deputy Commissioner of Prohibition & Excise, Kakinada.

5. The APAT in their orders dated:13.6.2008 have set aside the impugned orders and directed the Government to pass appropriate orders on the representation of the Sri B.Venkateswara Rao, Prohibition & Excise Inspector, Vuyyur, dated:5.9.2001 by giving notices to the affected persons and taking representations from them especially from Sri R.Chiranjeevi Rao, Proh.& Excise Inspector. As per the orders of the APAT, dated:13.06.2008 in O.A No.2046/2008 with VMA.317/2008 notices have been issued to the affected persons in the reference 6th read above.

6. The Commissioner of Prohibition & Excise, A.P., in the reference 7th read above, has forwarded the objections received from the affected persons including Sri R. Chiranjeevi Rao, Proh. & Excise Inspector along with his remarks.

7. After careful examination of the matter, Government consider that the objections filed by the affected persons are not tenable and accordingly hereby confirm the provisional decision taken in the reference 6th read above and the name of Sri B.Venkateswara Rao, Prohibition & Excise Inspector be included in the panel of Prohibition & Excise Sub-Inspectors for the year 1984-85 fit for promotion to the post of Prohibition & Excise Inspectors by reviewing his case in terms of Rule 4 (a) (ii) of the A.P. State & Subordinate Service Rules, 1962 and to assign notional seniority on par with his juniors with all consequential benefits.

8. The Commissioner of Prohibition & Excise shall take further necessary action accordingly.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

G.SUDHIR
PRINCIPAL SECRETARY TO GOVERNMENT

To
The Commissioner of Prohibition & Excise, A.P., Hyderabad.
Copy to OSD to M (Proh. & Excise)
Copy to PS to Prl.Secy to Govt., Rev(Ex.I) Department
SF/SF.

// FORWARDED BY ORDER //

SECTION OFFICER